



Louisiana Coastlines

LOUISIANA DEPARTMENT OF NATURAL RESOURCES

SPRING 2004

NOAA / DNR start community-based initiative

The U.S. Commerce Department's National Oceanic and Atmospheric Administration (NOAA) announced a \$96,500 grant to the Louisiana Department of Natural Resources (DNR) as part of a multi-project cooperative partnership to restore marine fisheries habitat.

The funding will support the creation of a three-year partnership between DNR and the NOAA Restoration Center for habitat restoration projects that benefit commercial fisheries resources and recreational sportfish throughout coastal Louisiana. The partnership objective is to implement on-the-ground habitat restoration projects that restore marine and estuarine habitats. These habitats may include salt marshes, seagrass beds, oyster reefs, mangrove forests, and shellfish beds. Coastal Louisiana is currently losing approximately 25 square miles of wetland habitat every year, and long-term restoration activities are critical for the state's ecologic and economic resources.

"This partnership between NOAA and the Louisiana Department of Natural Resources is a great ex-

ample of the valuable projects and initiatives that NOAA grants help support. This funding will enhance knowledge critical to restoration efforts along our nation's coasts," said retired Navy Vice Adm. Conrad C. Lautenbacher, Ph.D., Undersecretary of Commerce for Oceans and Atmosphere and NOAA administrator. "NOAA and the Bush Administration are working to improve the understanding of our environment and to strengthen local and regional initiatives such

as habitat restoration, protection and fishery development."

DNR Secretary Scott A. Angelle said, "The department will be seeking project proposals by the summer and expects some innovative ideas to come from our coastal parishes in this important new effort with NOAA."

The NOAA Community-based Restoration Program (CRP) has been

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Proven leadership and high-energy describe DNR Secretary



Scott A. Angelle

"Scott has strong organizational and management skills, as well as a strong work ethic based on clear principles of stewardship and development of our natural resources."

Scott Angelle was appointed head of the Department of Natural Resources by Governor Kathleen Babineaux Blanco this year. According to Governor Blanco,

As an elected local government official, Angelle served three terms as a member of the St. Martin Parish Police Jury from 1998-2000. He was elected Parish President of St. Martin Parish in 2000 and served until accepting the DNR post in March. Before serving local government, Angelle worked with a successful petroleum company, Angelle & Donohue Oil and Gas Properties in Lafayette. He specialized in mineral research, acquisition and management of oil and gas leases, and landowner is-

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working with community organizations and local governments to support locally-driven habitat restoration projects in marine, estuarine and riparian areas since 1996. NOAA CRP funds on-the-ground habitat restoration projects that offer educational and social benefits for people and their communities in addition to long-term ecological benefits for fishery resources. To date, nearly 800 projects in 26 states have been implemented using NOAA funding and leveraged funding from national and regional

habitat restoration partners. For more information on the CRP, please visit the website at: www.nmfs.noaa.gov/habitat/restoration.

Each year, NOAA awards approximately \$900 million in grants to members of the academic, scientific and business communities to assist the agency in fulfilling its mission to study the Earth's natural systems in order to predict environmental change, manage ocean resources, protect life and property, and provide decision makers with reliable scientific information.

NOAA goals and programs reflect a commitment to these basic responsibilities of science and service to the nation for the past 33 years.

The Commerce Department's National Oceanic and Atmospheric Administration (NOAA) is dedicated to enhancing economic security and national safety through the prediction and research of weather and climate-related events and providing environmental stewardship of our nation's coastal and marine resources.

The JASON XVI Project

Beginning this summer 2004, students everywhere can learn and understand the function and values of a unique ecosystem – America's Wetland – as they journey on what is called the JASON Expedition.

The JASON Project (its formal name) is a national educational science teaching and learning program established over a decade ago by Dr. Robert D. Ballard, a scientist known for his discovery of the wreck of the RMS Titanic in 1986. The JASON Project today travels the world, taking students and teachers on exciting educational adventures.

JASON XVI Project focuses on coastal Louisiana with video presentations, digital labs, and several other interactive online activities where students get to model real scientists.

Along with a summer session, students will be offered a year-long course on the Disappearing Wetlands of Louisiana. According to DNR Coastal Restoration Technology Manager Kirk Rhinehart, the department has printed and provided the JASON Project some 35,000 copies of the Historical and Projected Land Change Map as shown here. The land loss map and information will be a featured part of the curriculum.

For more on this learning initiative and to download student materials, go online to www.jason.org.



Secretary Angelle speaks at Oil and Gas Conference in Houston, May 3, 2004.

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sues. Angelle is a 1983 cum laude graduate of the University of Southwestern Louisiana with a Bachelor of Science degree in Business Administration.

The Department of Natural Resources was created as part of the executive branch of state government in 1976. There are three primary offices of the department; Office of Coastal Restoration and Management, Office of Conservation, and Office of Mineral Resources.

Angelle was recently chosen Chairman of the State Mineral Board in May.



Coastal use guidelines - applying MEP

By: Jim Wilkins, Director, Louisiana Sea Grant Legal Program

The State and Local Coastal Resources Management Act (SLCRMA) was established in 1978, however; the Louisiana Coastal Resources Program (LCRP) did not start until 1980 following the development of the Coastal Use Guidelines which are commonly referred to as “Guidelines.”

These “Guidelines” are the operating instructions of the Coastal Use Permitting program and are the heart of coastal management in Louisiana. They were developed to achieve the goals of the program: responsible and sustainable development of coastal resources and preservation of important ecosystems and natural areas. The Guidelines were written to allow some flexibility in permit decisions. More than half of the Guidelines contain the modifier “to the maximum extent practicable” (MEP). There has been some question over the years as to how the MEP standard should be applied to permit decisions. The Final Environmental Impact Statement (FEIS) and Guideline 701H were developed to provide instructions on the use of the MEP standard. These instructions mandate a three-part balancing test in which the third part can be satisfied with one of three alternatives explained below:

“In those guidelines in which the modifier ‘maximum extent practicable’ is used, the proposed use is in compliance with the guideline if the standard modified by the term is complied with. If the modified standard is not complied with, the use will be in compliance with the guideline if the permitting authority finds, after a systematic consideration of all pertinent information regarding the use, the site and the impacts of the use as set forth in Subsection F above, and a balancing of their relative significance, that the benefits resulting from the proposed use would clearly outweigh the adverse impacts resulting from noncompliance with the modified standard and there are no feasible and practical alternative locations, methods, and practices for the use that are in compliance with the modified standard and:

1. significant public benefits will result from the use, or;
2. the use would serve important regional, state, or national interests, including the national interest in resources and the siting of facilities in the coastal zone identified in the coastal resources program, or;
3. the use is coastal water dependent.

The systematic consideration process shall also result in a determination of those conditions necessary for the use to be in compliance with the guideline. Those conditions shall assure that the use is carried out utilizing those locations, methods, and practices which maximize conformance to the modified standard; are technically, economically, environmentally, socially, and legally feasible and practical; and minimize or offset those adverse impacts listed in §701.G and in the Subsection at issue.”

Instructions on the use of the MEP modifier use intentionally vague terminology which allows the decision-maker to exercise the discretion needed to balance resources and conservation. While most decisions will clearly fall to one extreme or the other; some will require more analysis, and the MEP modifier is designed to guide that process.

The FEIS requires that the balancing process focus on the value of the natural resources and the value to the public from the proposed use and not a cost benefit. It states that economically available alternatives to the project are to be assessed in light of what “would be available to a reasonable person in a normal situation” not “an undercapitalized applicant.” If the MEP tests are met and the project is allowed, then permit conditions are to be imposed that will minimize adverse impacts and that mitigation may be required, according to the Statement. The FEIS was published before the Environmental Protection Agency and US Army Corps of Engineers’ joint policy of no net loss of wetlands was developed and amendments to SCLRMA that require mitigation of all wetland losses, except in extremely rare situations. In light of these post-FEIS developments, mitigation will be required for most wetland losses, including those permitted under the MEP balancing test.

Since the MEP standard is inherently flexible, there may be instances when permit decisions are challenged by applicants who believe the agency’s discretion was not applied correctly or misused. Applicants may follow the appeals process outlined by the Act (SCLRMA), or they may seek judicial redress by filing suit in the appropriate court. In judicial proceedings, the applicant may request a trial de novo which is an exception to the way a court would normally proceed in a challenge to an administrative agency action under the Louisiana Administrative Procedure Act (LAPA). Under the LAPA, a court is limited to reviewing the administrative record of the decision, deciding whether the agency’s action was within its statutorily and regulatory defined discretion and deferring to the agency’s expertise in contested technical questions of fact. Trial de novo, on the other hand, allows the court to disregard the administrative record and substitute its decisions for those of the agency, even regarding matters of fact.

The MEP modifier and its interpretation remain **central** to the coastal use permitting process. The program is managed by a technical staff that bring the benefits of their knowledge and experience to the MEP analysis. If the MEP standard cannot be met by modifications to the project, the CMD is required by their statute and regulations to recommend that the Secretary of DNR deny the permit.



Coastal zone maps available in second printing

The top-quality color map of the state's coastal zone boundary is back-by-popular demand. The maps were produced by the Department of Natural Resources' (DNR) Coastal Management Division (CMD) and the Louisiana Geological Survey in 2002.

CMD's Project Manager Steve Chustz said more than 4,000 maps were printed, but a large number of requests from citizens across the state for the map depleted the original stock on hand. According to

Chustz, the map shows the coastline as it exists today and additional copies have been reprinted for distribution.

The map displays the state's coastal zone boundaries which contains all or part of 19 parishes. From the west at the Texas/Louisiana state line, the boundary proceeds easterly through the parishes of Calcasieu and Cameron, then go south through Vermilion, St. Mary, St. Martin, Assumption, Terrebonne and Lafourche. The boundary goes north

to include the parishes of St. Charles, St. John the Baptist, St. James and then goes east again through Livingston, Tangipahoa and St. Tammany parishes to the Mississippi state line. Seven parishes lie completely within the coastal zone area. Those parishes are Orleans, Jefferson, St. Bernard, Plaquemines, St. John the Baptist, St. James, and St. Charles.

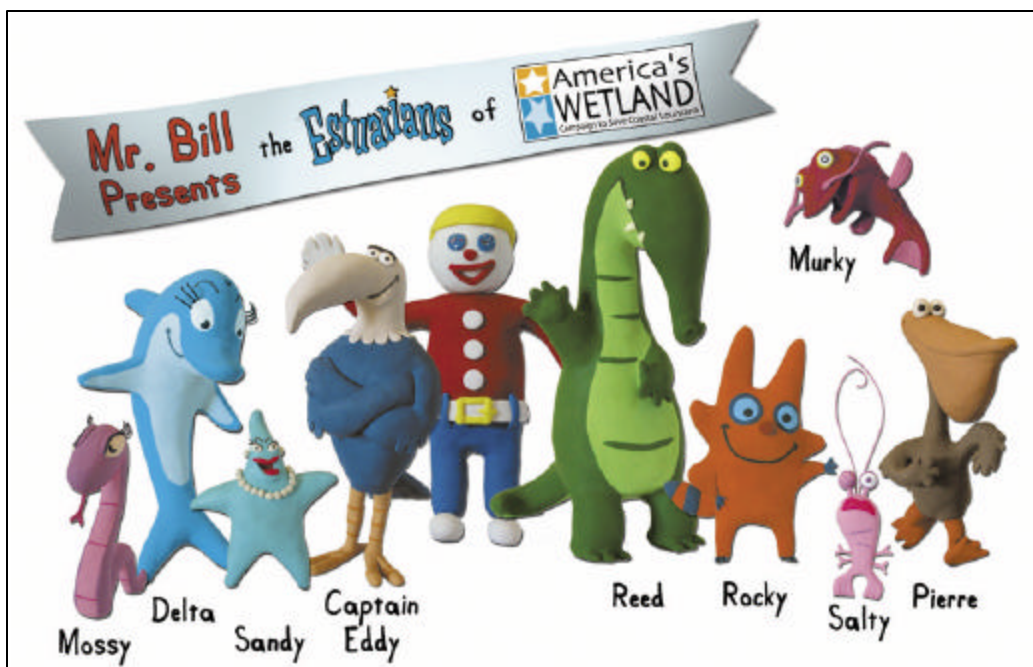
Contact the Coastal Management Division at **1-800-267-4019** for a free copy of the map.

Mr. Bill's America's WETLAND Tour

Mr. Bill and the "Estuarians"—Salty the Shrimp, Eddy the Eagle, and others—will be part of the America's WETLAND Education Campaign that will teach people, especially children, about Louisiana disappearing coastal marshes and swamps. Mr. Bill's America's

WETLAND Tour and the "Don't be a Big Loser" advertising campaign will be launched in June to coincide with the opening of hurricane season. The WETLAND Tour will be Internet based so children, teachers, and the public can have access to wetland educational materials and games via the Web. The

first in a series of ten Public Service Announcements will also premier on the America's WETLAND website this summer. Visit **www.americaswetland.com** or call **1-866-4WETLAND** for more information.



Underwater Obstructions Notice and Coordinates

In accordance with the provisions of R.S. 56:700.1 et. seq., notice is given that 68 claims in the amount of \$217,222.57 were received for payment during the period January 1, 2004 - April 30, 2004. There were 63 claims paid and 5 claims denied.

Loran Coordinates of reported underwater obstructions are:

27680	46908	ST. MARY
28645	46869	JEFFERSON
29054	47041	ST. BERNARD

Latitude/Longitude Coordinates of reported underwater obstructions are:

29 01.964	90 57.602	LAFOURCHE
29 06.895	91 26.861	JEFFERSON
29 08.190	90 07.200	LAFOURCHE
29 08.903	90 06.214	JEFFERSON
29 10.100	89 16.020	PLAQUEMINES
29 10.788	91 04.228	TERREBONNE
29 11.969	90 20.497	LAFOURCHE
29 11.990	90 20.460	LAFOURCHE
29 12.314	90 26.971	TERREBONNE
29 13.147	90 26.479	TERREBONNE
29 13.180	90 03.100	JEFFERSON
29 13.333	90 27.662	LAFOURCHE
29 14.654	89 42.608	PLAQUEMINES
29 15.025	90 35.273	TERREBONNE
29 16.221	89 38.108	PLAQUEMINES
29 16.305	90 59.304	TERREBONNE
29 16.590	91 22.760	ST. MARY
29 17.048	89 53.700	JEFFERSON
29 17.550	89 50.640	JEFFERSON
29 18.710	91 24.418	ST. BERNARD
29 18.970	89 50.460	JEFFERSON
29 21.135	90 00.425	JEFFERSON
29 21.478	90 15.072	LAFOURCHE
29 22.016	89 35.984	PLAQUEMINES
29 22.513	90 01.286	JEFFERSON
29 22.539	90 43.799	TERREBONNE
29 23.246	90 02.426	JEFFERSON
29 23.251	90 02.430	JEFFERSON
29 23.559	89 58.149	JEFFERSON
29 24.350	91 48.300	IBERIA
29 24.460	91 30.500	ST. MARY
29 24.478	89 59.987	JEFFERSON
29 25.060	91 35.560	ST. MARY
29 25.391	90 32.018	TERREBONNE
29 25.422	90 33.233	TERREBONNE
29 30.055	90 02.747	JEFFERSON
29 31.060	91 38.393	ST. MARY
29 31.650	92 03.220	VERMILION
29 36.061	89 25.366	ST. BERNARD
29 36.180	89 33.450	PLAQUEMINES
29 37.437	90 06.990	JEFFERSON
29 37.502	91 39.809	IBERIA
29 37.514	90 07.184	JEFFERSON
29 39.283	91 47.390	ST. MARY
29 40.030	90 06.790	JEFFERSON
29 40.943	90 10.763	JEFFERSON
29 41.702	90 03.497	JEFFERSON
29 42.801	89 33.090	ST. BERNARD
29 43.301	89 48.001	PLAQUEMINES
29 43.378	89 49.763	ST. BERNARD

29 44.147	89 27.767	ST. BERNARD
29 45.273	89 42.611	ST. BERNARD
29 48.559	89 36.007	ST. BERNARD
29 50.151	89 33.312	ST. BERNARD
29 51.383	89 40.290	ST. BERNARD
29 51.456	89 41.055	ST. BERNARD
29 57.544	89 43.844	ST. BERNARD
29 58.233	89 27.512	ST. BERNARD
29 83.875	89 16.324	ST. BERNARD
30 01.351	89 31.304	ST. BERNARD
30 02.957	93 19.611	CAMERON
30 03.516	89 41.316	ST. BERNARD
30 04.808	90 04.246	ORLEANS
30 09.008	89 56.452	ORLEANS
30 09.667	89 38.915	ORLEANS

A list of claimants and amounts paid can be obtained from Verlie Wims, Administrator, Fishermen's Gear Compensation Fund, P.O. Box 44277, Baton Rouge, LA 70804 or you can call (225)342-0122.

Tribute to Bob Jones

By: Gregory DuCote, DNR Coastal Resources Scientist Manager



Bob Jones

The recent untimely passing of a stalwart of the state's coastal restoration efforts, at the local level, has prompted Coastlines to take this opportunity to note his passing and to salute his many achievements. Mr. Robert S. "Bob" Jones, Terrebonne Parish Engineer, died on March 10, 2004. His passing will create a void, not easily filled, in the efforts of Terrebonne Parish to address its myriad coastal land loss challenges. Beyond that, his untimely passing will be a notice to the rest of us that we are here for but a fleeting moment and despite that we can accomplish much in the fight against coastal land loss. Bob Jones cared deeply about Terrebonne Parish, its people, and the wetlands that are such a vital part of the parish cultural milieu.

Bob was active in such organizations as the Coalition to Restore Coastal Louisiana and the National Wetlands Coalition. He served Terrebonne Parish as Parish Engineer and Drainage Engineer, which provided him an extensive "on the job" education regarding the challenges Terrebonne Parish faced in its efforts to continue to grow while conserving its valuable wetland resource base. Bob was up to the challenge and was thoroughly committed and dedicated to the work he enjoyed. His peers recognized and noted his toils in 1988 when the Louisiana Engineering Society awarded him the James M. Todd Technological Accomplishment Medal for his work with barrier island restoration and preservation efforts.



Terracing projects work for state

Editor's Note:

Dr. Bill Good is DNR's Coastal Restoration Division Administrator. The following Q & A was written by Dr. Good in reply to a citizen's request on the topic of terracing.

1) What is terracing?

Terracing is a technique that uses the soil from the bottom of shallow ponds or bays to build ridges that can be vegetated to form marsh.

2) What/how many types of terraces are there and how do they differ?

Each terracing project is somewhat unique. Each one has to be engineered to match the site conditions. The designer must consider such things such as water depth, soil type and stability, salinity conditions, and wave energies in the area. Some things that these projects generally have in common are: that the material is arranged in a ridge (terrace) that is then planted in order to become marsh, the ridges are oriented so as to provide the greatest amount of wave energy reduction, and areas where suspended sediment is available for capture by the project are favored although sediment capture is not essential.

3) What are some benefits of a terrace system?

The main benefits of terraces stem from the fact that they absorb wave energy. This permits the water column to become less turbid, which allows for greater sunlight penetration through the water column. This, in turn, can result in an increased amount of aquatic vegetation in the area. The newly established aquatic vegetation and the newly established emergent marsh vegetation contribute to an improved set of habitat conditions for many fish and wildlife species. There have been studies

documenting increased fish and crustaceans associated with terraces as compared to similar areas without them. Also, the reduction in wave energy can result in a lessening and in some cases a reversal of edge erosion in the surrounding marsh.

4) Who came up with the idea of terracing?

The idea was originated in conceptual form by Mr. John Walther who was then the manager of the Sabine National Wildlife Refuge in Cameron Parish, Louisiana. I brought the concept back to my supervisor, Mr. Dave Chambers, and he and I developed a practical method of construction, which is still used. So, there were three people who are jointly responsible for introducing the technique into practice.

5) How effective are terraces in controlling erosion?

They can be very effective if built in appropriate situations, built to correct design specifications, and are planted with marsh vegetation soon after construction. This is because the terraces reduce the fetch, or distances across open water bodies. By reducing fetch, wave energy and the resulting edge erosion are also reduced.

6) Does the method of planting affect soil erosion?

Yes, there are a number of species and planting techniques that can be used which have varying degrees of effectiveness. Again, this is mainly a matter of matching the right species and techniques with the site conditions. Time of year is also a factor in the degree of success of the planting aspect of the project. A successfully planted project has a much better chance of withstanding waves and currents without eroding than an unplanted project.



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